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Attorney for the Plaintiff

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**SARAH HUGHES,**

**Plaintiff,**

**v.**

**GREAT CLIPS, INC., a Foreign  
Corporation; BRANDEE CHAMBERS,  
Individually,**

**Defendants.**

**Case No.: 2:15-cv-00714-GMN-VCF**

**PLAINTIFF'S MOTION TO EXTEND DEADLINE FOR SERVING  
COMPLAINT UPON DEFENDANT BRANDEE CHAMBERS  
(FIRST REQUEST)**

Pursuant to Federal Rule of Civil Procedure ("FRCP") 6(b)(1)(B), Plaintiff respectfully requests that the Court extend by 60-days, or until October 16, 2015, the time within which Plaintiff must serve the Complaint (Pacer #1) upon Defendant Brandee Chambers. Proof of service was required to be filed with the Court on August 15, 2015 (Saturday). Plaintiff has already effected timely service upon all other Defendants in this case. This is Plaintiff's first request for extension of time for the purpose set forth herein.

In support of this motion, Plaintiff relies upon the memorandum of points and authorities set forth below.

. . .

**MEMORANDUM OF POINTS AND AUTHORITIES**

FRCP 4(m) requires that a party initiating litigation serve a defendant within “120 days after the complaint is filed . . .” Failure to do so may result in dismissal of the complaint, unless “good cause” exists to extend the 120-day period. *Id.* Similarly, a party may seek an extension of a deadline after its expiration pursuant to FRCP 6(b)(1)(B) upon showing “excusable neglect.”

Here, “excusable neglect and good cause” exists to extend the service deadline for serving Defendant Brandee Chambers with the Complaint and Summons. While Plaintiff has timely effected service upon the other Defendant in this case (Pacer #10), Defendant Chambers, despite best efforts by Plaintiff, has not been served. Plaintiff’s legal process service, “Legal Wings” has been attempting to locate Ms. Chambers but, to date, has not been able to do so in this matter. An additional 60-days should permit Legal Wings sufficient time to locate and serve Ms. Chambers with the Summons and Complaint. Undersigned counsel would have filed this motion earlier but was in Washington, D.C., last week on business and did not return to the office until today (August 17, 2015) at which time it was discovered that Legal Wings has not located and served Defendant Chambers as it was required to do.

Plaintiff cannot serve Defendant Chambers within the current deadline of August 15, 2015. Accordingly, additional time is needed to locate her and effect proper service. The Court should grant this request for extension.

. . .

. . .

**CONCLUSION**

Plaintiff, by and through counsel, respectfully requests that the Court grant this motion.

Respectfully submitted,

*/s/ Paul S. Padda*

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Attorney for Plaintiff

Dated: August 17, 2015

**IT IS SO ORDERED:**

**Plaintiff's request to extend the 120-day deadline required by FRCP 4(m) is hereby granted. Plaintiff's time to serve the Summons and Complaint upon Defendant Brandee Chambers is hereby extended to and until October 16, 2015. Proof of service shall be filed on or before that date.**

  
\_\_\_\_\_  
**UNITED STATES MAGISTRATE JUDGE**

8-17-2015

**DATED:** \_\_\_\_\_

**CERTIFICATE OF SERVICE**

In compliance with the Court's Local Rules, the undersigned hereby certifies that on August 17, 2015, a copy of the foregoing document, "PLAINTIFF'S MOTION TO EXTEND DEADLINE FOR SERVING COMPLAINT UPON DEFENDANT BRANDEE CHAMBERS" was served (via the Court's CM/ECF system) upon counsel of record for Defendants.

*/s/ Paul S. Padda*

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Paul S. Padda, Esq.